

**DRAFT**

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q64029

Massimo BRIOSCHI, et al.

Appln. No.: 09/833,666

Group Art Unit: 2663

Confirmation No.: 1733

Examiner: Richard CHANG

Filed: April 13, 2001

For: METHOD AND APPARATUS FOR AUTOMATIC DELAY COMPENSATION IN  
SPACE DIVERSITY RADIO TRANSMISSIONS

**REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.111**

**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated November 16, 2005, please amend the above-identified application as follows on the accompanying pages.

### **REMARKS**

Claims 1-11 are all the claims pending in the application. Applicants acknowledge with appreciation the indication of allowable subject matter in claims 2, 3, 5-8, 10 and 11, but respectfully request reconsideration of the application and allowance of all claims in view of the above amendments and the following remarks.

Claims 1, 4 and 7-9 are rejected as unpatentable over Meehan (USP 6,115,419) in view of Pal (USP 6,353,629). This rejection is respectfully traversed.

A first issue is with respect to the 90 degree phase shifters of Meehan. We claim delay by an integer multiple of the sampling period. The examiner has argued (in the Office action mailed June 28, 2005) that Meehan will inherently use taps of digital delays. While that may be true, it is not clear that the digital delays will themselves be integer multiples of the sampling period, or more importantly that whatever delay is ultimately imposed will be such an integer multiple. More particularly, since Meehan teaches a 90 degree phase shift, the only way this claim requirement is met is if 90 degrees is always an integer multiple of the sampling period. This is not inherent in Meehan, nor is it suggested, and the rejection must therefore fail.

The next issue is that in the system of the present invention, the signals are passed through a variable delay between the A/D converter and the equalizer, and in Meehan the delays are not variable (and may not be prior to the equalizer depending on which equalizer is being considered).

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

An extension of time is requested, and the statutory fee is being paid through the Electronic Filing System.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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WASHINGTON OFFICE

**23373**

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